

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

EJS INCORPORADO,

Case No. 16-01647-EAG

Debtor.

Chapter 7

_____ /

**MOTION TO SELL MOTOR VEHICLES
AT PUBLIC AUCTION
WITH A SHORTEN PERIOD TO CONDUCT AUCTION**

COMES NOW, the interim Trustee, NOREEN WISCOVITCH-RENTAS, and moves the Court for an Order authorizing the Trustee to sell all of Debtor's vehicles located at **BUILDING M-0943-0-70, URB. IND. MINILLAS, Bayamon, PR 00960** and in support, states:

1. On March 1, 2016, this case was filed under Chapter 11 of the Bankruptcy Code. Later, on January 25, 2017, this case was converted to a Chapter 7 case. On January 26, 2017, the undersigned was appointed interim Chapter 7 Trustee.
2. The Trustee has inspected the Debtor's premises and has found 15 vehicles in a Commercial property locate at **BUILDING M-0943-0-70, URB. IND. MINILLAS, Bayamon, PR 00960**.
3. After considering the risk of loss and/or vandalism, due to the unsecured conditions of the premises, the Trustee intents to hold the auction of the Debtor's motor vehicles locate at **BUILDING M-0943-0-70, URB. IND. MINILLAS, Bayamon, PR 00960** at a Public Sale to be conducted by the Auctioneer House, Centro Casas Subastas, on **Friday, February 3, 2017, at 1:00pm**. On even date, an Urgent Motion to shorten time to give notice of the sale is being filed.
4. This will allow the auction to be conducted to secure a buyer and secure the premises, but subject to the Court approving the sale within the time specified by Bankruptcy Rule 2002(a)(2).
5. The vehicles to be sold are those shown in the photos that are attached as **Exhibit A**. **No other equipment or inventory of the Debtor will be sold** under this emergency sale. Just the motor vehicles which are exposed to be vandalized. The sale will be subject to the Court's approval. A list of the vehicles is attached as **Exhibit B**. The inspection of the vehicles will be prior to the sale.

A public auction date has been scheduled for Friday, February 3, 2017, at 1:00pm, at the following address:

BUILDING M-0943-0-70, URB. IND. MINILLAS, BAYAMON, PR 00960

The auction will be conducted by Centro Casa Subastas. Interested parties must contact Centro Casa Subastas at (787)-287-0100 for additional information. The inspection will be conducted the same date of the sale, that is, Friday, February 3, 2017, at 12:00 NOON.

TERMS AND CONDITIONS:

1. A public auction is to be conducted for the sale of these assets on the time and date detailed herein. Full payment of the sale price shall be required from the bidder to whom the sale is adjudicated payable in cash or check, on adjudication at the auction. In addition, a 10% Buyer's premium will be charged and paid directly to Centro Casas Subastas.
2. The minimum amount to be considered as a bonafide offer for the **Motor Vehicles**, comprised in this sale for will be decided at the auction. Increments will be in the 100.00.
3. At the public auction, the sale will be adjudicated to the highest bidder, except when the trustee, at her sole discretion, reject any bids that does not comply with this notice or does not represent a fair price for the property to be sold.
4. All sales are made "as is" and "where is" without warranty of any kind. All risk of loss shall pass to the buyer upon adjudication of the sale by the trustee. The inventory shall be transferred on an **"AS IS" "WHERE IS" and "WITH ALL FAULTS"** basis. **THE TRUSTEE EXPRESSLY DISCLAIMS ALL EXPRESS AND IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.**
5. Sales adjudicated at the auction are final and shall constitute an enforceable contract between the trustee and the buyer(s).
6. The property subject of this sale may be inspected by potential buyers and other parties in interest upon appointment with the undersigned Trustee.
7. The Trustee reserves the right to increase the minimum bid, change the terms of the sale, remove add items to the sale; cancel the sale at her discretion. The Trustee may sell the property individually or in lots as described in the notice.
8. The buyer in the sale must remove the vehicles from Debtor's premises the same day and without causing any damage to the premises. If any damages occurs, it will have to be repaired by the buyer prior to leaving the premises.
9. The Title transfer of the vehicle will be conducted at the Debtor premises after the auction by a notary selected by the Trustee at the cost of the buyer. Any fines owed by the vehicle will be responsibility of the buyer.
10. The property subject of this sale may be inspected by potential buyers and other parties in interest on **Friday, February 3, 2017, at 12:00 NOON.**

11. The Trustee reserves the right to increase the minimum bid, change the terms of the sale, remove add items to the sale; cancel the sale at her discretion. The Trustee may sell the property individually or in lots as described in the notice.

WHEREFORE, the Trustee, respectfully requests the Court to enter an Order authorizing the sale with a shorten time for the Auction as required under Rules 2002 and 6004 due to the imminent danger that the vehicles, will suffer and for any further relief this Court deems just and proper under the circumstances.

PLEASE TAKE NOTICE that if within 3 (three) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the objection will be deemed unopposed and may be granted unless: (1) the requested relief is forbidden by law; (2) the requested relief is against public policy; or (3) in the opinion of the court, the interest of justice requires otherwise. If you file a timely response, the court may - in its discretion - schedule a hearing.

I HEREBY CERTIFY THAT copy of this notice has been served by ECF Electronic Mail to all parties subscribe and by US First Class mail to Debtor's attorney, **RUBEN GONZALEZ MARRERO**, CARRETERA 174, BLQ. 21-24, URB SANTA ROSA, BAYAMON, PR 00959 and United States Trustee's Office, Ochoa Building, 500 Tanca Street, Suite 301, Old San Juan, Puerto Rico.

I further certify that: Copy of this notice has been served by First Class Mail to all creditors and other parties in interest, as detailed in the enclosed Master Address List, without the Exhibits. The Exhibits will be available upon request made to the Trustee's Office.

I further certify that copy of this Notice will be posted on the bulletin board at the Bankruptcy Court after it is filed with the Clerk's Office.

In San Juan, Puerto Rico, this 31st day of January, 2017

/s/ Noreen Wiscovitch Rentas
NOREEN WISCOVITCH RENTAS
CHAPTER 7 TRUSTEE
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